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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,125	07/30/2003	David Murray Banks	B-5181 621125-1	1861

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BAKER, STEPHEN M

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,125

Applicant(s)

BANKS, DAVID MURRAY

Examiner

Stephen M. Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,4 and 10-13 is/are allowed.
- 6) ☒ Claim(s) 2 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 5-9 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 061404.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

AT

DETAILED ACTION

Drawings

1. The drawings are objected to because in FIG. 1, step 106, "V(x)" apparently should be " $\Lambda(x)$ ". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

On page 2, in line 27, "realised" should be "realized" and "minimise" should be "minimize".

On page 4, in line 1, "by applying polyin(x) an initial value of S(x) to calculate T(x)" is not idiomatic English and apparently should be "setting polyin(x) to S(x) to calculate T(x)" or the like, as polyin(x) does not change value during the calculation of T(x). Similar corrections are apparently required on page 6, in lines 7-8, and on page 9, in lines 1-2.

On page 4, in lines 2-3, "applying polyin(x) an initial value of 1 to calculate $\Lambda(x)$ " is not idiomatic English and apparently should be "setting polyin(x) to 1 to calculate $\Lambda(x)$ " or the like, as polyin(x) does not change value during the calculation of $\Lambda(x)$. Similar corrections are apparently required on page 6, in line 8-9, and on page 9, in lines 2-3.

On page 17, in lines 1-2, "to calculate T(x), the initial value loaded into polyin(x) is S(x)" apparently should be "to calculate T(x), polyin(x) is set to S(x)" or the like, as polyin(x) does not change during calculation of T(x), and as polyin(x) is shown as a signal (FIG. 3), not as a register; on page 17, in lines 4-5, "to calculate $\Lambda(x)$, the initial value loaded into polyin(x) is 1" apparently should be "to calculate $\Lambda(x)$, polyin(x) is set to 1" or the like, as polyin(x) does not change during calculation of $\Lambda(x)$, and as polyin(x) is shown as a signal (FIG. 3), not as a register.

On page 17, in lines 25 and 32, "initialised" apparently should be "initialized"; on page 20, in lines 18 and 22, "initialise" apparently should be "initialize"; on page 24, in line 5, "initialised" apparently should be "initialized"; on page 25, in line 26, "initialised"

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apparently should be "initialized"; on page 26, in lines 15 and 20, "initialisation" apparently should be "initialization".

Appropriate correction is required.

3. Claims 5-9 and 14 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 2, 15 and 16, "by applying polyin(x) an initial value of S(x) to calculate T(x), and applying polyin(x) an initial value of 1 to calculate $\Lambda(x)$ " is not idiomatic English and apparently should be "setting polyin(x) to S(x) to calculate T(x), and setting polyin(x) to 1 to calculate $\Lambda(x)$ " or the like, as polyin(x) does not change value during the calculation of T(x) or $\Lambda(x)$.

6. Claims 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an "omnibus"-type claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. to 6,256,763 to Oh *et al* (hereafter "Oh").

Oh discloses arrangements for errors and erasures correction in decoding of a Reed-Solomon code. Oh shows a "syndrome calculation block" (204), an "erasure list block" (202) and a "polynomial expander block" (206, 208).

Allowable Subject Matter

9. Claims 1, 3, 4 and 10-13 are allowed.

10. Claim 2 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.


Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Baker whose telephone number is (571) 272-3814. The examiner can normally be reached on Monday-Friday (11:00 AM - 7:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stephen M. Baker
Primary Examiner
Art Unit 2133

smb